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*Admitted only in Maryland
*Admitted only in Virginia
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Federal Agencies

July 26, 2004

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Re: U.S. Utility Patent Application
Appl. No. 10/816,900; Filed: April 5, 2004
For: **Local Anesthetic Methods and Kits**
Inventors: Weber *et al.*
Our Ref: 2009.0010006/RWE/RAS

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Information Disclosure Statement;
2. Two (2) pages of Form PTO-1449 citing sixteen (16) references; and
3. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert A. Schwartzman, Ph.D
Agent for Applicants
Registration No. 50,211

RAS/law
Enclosures
247574.1



UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Weber *et al.*

Appl. No. 10/816,900

Filed: April 5, 2004

For: **Local Anesthetic Methods and Kits**

Confirmation No. 2634

Art Unit: 1614

Examiner: *To be assigned*

Atty. Docket: 2009.0010006/RWE/RAS

Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450
Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents **AA1-AD1**, **AF1-AH1**, **AR1-AT1**, and **AR2-AS2** were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 10/155,171, Weber *et al.*, filed May 28, 2002, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

Copies of documents **AE1** and **AI1-AK1** are not provided in accordance with the U.S. Patent and Trademark Office pre-OG notice of July 11, 2003, which states "[t]he Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003."

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing

date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

Weber *et al.*
Appl. No. 10/816,900

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency,
or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

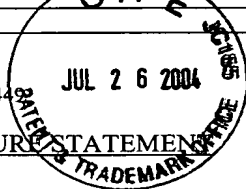
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| FORM PTO-1449 | | ATTY. DOCKET NO. 2009.0010006/RWE/RAS | APPLICATION NO. 10/816,900 |
| INFORMATION DISCLOSURE STATEMENT | | FIRST NAMED INVENTOR Weber <i>et al.</i> | |
| | | FILING DATE April 5, 2004 | ART UNIT 1614 |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|------------------|-----|-----------------|------------|------------------------|-------|-----------|-------------|
| | AA1 | 4,659,714 | 04/21/1987 | Watt-Smith | | | 03/27/1984 |
| | AB1 | 4,888,344 | 12/19/1989 | Sunagawa <i>et al.</i> | | | 07/30/1987 |
| | AC1 | 4,938,870 | 07/03/1990 | Hustead <i>et al.</i> | | | 07/17/1987 |
| | AD1 | 5,149,320 | 09/22/1992 | Dhaliwal <i>et al.</i> | | | 01/11/1991 |
| | AE1 | 5,192,527 | 03/09/1993 | Abrahmsohn | | | 12/23/1991 |
| | AF1 | 5,261,903 | 11/16/1993 | Dhaliwal <i>et al.</i> | | | 01/02/1991 |
| | AG1 | 6,001,845 | 12/14/1999 | Estok | | | 06/10/1999 |
| | AH1 | 6,432,401 | 08/13/2002 | Weber <i>et al.</i> | | | 05/11/2001 |
| | AI1 | 2002/0183356 A1 | 12/05/2002 | Weber <i>et al.</i> | | | 05/28/2002 |
| | AJ1 | 2002/0183396 A1 | 12/05/2002 | Weber <i>et al.</i> | | | 05/28/2002 |
| | AK1 | 2004/0063747 | 04/01/2004 | Weber <i>et al.</i> | | | 09/24/2003 |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|------------------|----|-----------------|------|---------|-------|-----------|-------------|
| | AL | | | | | | Yes No |
| | AM | | | | | | Yes No |
| | AN | | | | | | Yes No |
| | AO | | | | | | Yes No |
| | AP | | | | | | Yes No |

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

| | | | |
|--|----|---|--|
| | AR | 1 | Bernstein, R.M., and Rassman, W.R., "Limiting epinephrine in large hair transplant sessions," <i>Hair Transplant Forum International</i> 10:39-42, New Hair Institute, Inc. (March-April 2000), accessed on August 23, 2002, available at: < http://www.800newhair.com/medical_publications/limiting_epinephrine.html > |
| | AS | 1 | Pimentel, L.A.S., and Goldenburg, R.C.D.S., "Local Injection of Hyaluronidase in Increasing Skin Flap Survival: An Experimental Study," <i>Revista da Sociedade Brasileira de Cirurgia Plastica</i> 14:49-55, Sociedade Brasileira de Cirurgia Plastica (1999), accessed on August 15, 2000, available at: < http://www.sbc.org/revista/vol14_n1/pimentel/english.html > |
| | AT | 1 | Robertson, V.J., <i>et al.</i> , "Quantitative and qualitative analysis of the pressor effects of levonordefrin," <i>J. Cardiovasc. Pharmacol.</i> 6:929-935, Lippincott, Williams, & Wilkins (1984) |

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|---|-----------------|
| EXAMINER | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant. | |

FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
2009.0010006/RWE/RAS
FIRST NAMED INVENTOR
Weber *et al.*
FILING DATE
April 5, 2004

APPLICATION NO.
10/816,900
ART UNIT
1614

U.S. PATENT DOCUMENTS

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|---------------------|----|-----------------|------|------|-------|-----------|-------------|
| | AA | | | | | | |
| | AB | | | | | | |
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FOREIGN PATENT DOCUMENTS

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| | AL | | | | | | Yes No |
| | AM | | | | | | Yes No |
| | AN | | | | | | Yes No |
| | AO | | | | | | Yes No |
| | AP | | | | | | Yes No |

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

| | | | |
|--|----|----------|--|
| | AR | <u>2</u> | Swinyard, E.A., "Local Anesthetics," in <i>Remington's Pharmaceutical Sciences</i> , Osol, A. <i>et al.</i> , eds., Mack Publishing Co., Easton, PA, pp. 991-1003 (1980) |
| | AS | <u>2</u> | International Search Report for International Application No. PCT/US01/40711, mailed October 11, 2001 |
| | AT | | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.